

**FILED**

APR 24 2007

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**NEBRASKA DEPARTMENT  
OF INSURANCE**

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

APR 16 2007

RECEIVED

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE,

PETITIONER,

VS.

INSURERS ADMINISTRATIVE  
CORPORATION,

RESPONDENT.

CONSENT ORDER

CAUSE NO. 26-1625 ACCT# 8521 \$1,000.00  
ND-INVOICE 37615 TRAN# 1737906  
INSURERS ADMINISTRATIVE CORPORATION  
CHECK# 50865

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Joel F. Green and Insurers Administrative Corporation ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to NEB. REV. STATS. §§ 44-101.01 and 44-5812 et seq. (Reissue 2004). Said jurisdiction and control have been present at all times material hereto.

2. Respondent is an Arizona domiciled licensed third-party administrator whose registered business address with the Petitioner is 2101 West Peoria Avenue, Suite 100, P.O. Box 39199, Phoenix, Arizona 85069-3119.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Insurers Administrative Corporation, Cause

Number C-1625 on March 26, 2007. A copy of the petition was served upon the Respondent at 2101 West Peoria Avenue, Suite 100, P.O. Box 39199, Phoenix, Arizona 85069-3119, by certified mail, return receipt requested.

2. Respondent allegedly violated NEB. REV. STAT. § 44-1525(11) as a result of the following conduct:

- a. On or about January 23, 2007, Cynthia J. Williamson, Insurance Investigator for Petitioner, sent a letter to Respondent requesting information regarding an administrative investigation. The letter specifically stated, "Nebraska insurance laws require an adequate response within 15 working days of receipt of this letter. Failure to provide complete information in a timely manner is considered to be an unfair trade practice." Respondent failed to respond within 15 working days.
- b. On or about February 20, 2007, Cynthia J. Williamson, Insurance Investigator for Petitioner, sent a second letter to Respondent requesting information regarding the administrative investigation. The letter specifically stated, "[w]e are concerned that your non-response to date may be considered an unfair trade practice act, as defined by Nebraska Revised Statute 44-1525(11)." Respondent again failed to respond within 15 working days.

3. Respondent was informed of its right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving the right to a public hearing, Respondent also waives the right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits the allegations stated in Paragraph 2.

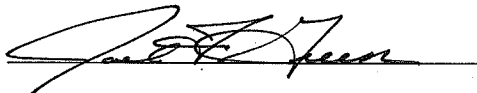
#### CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of NEB. REV. STAT. § 44-1525(11) and is subject to disciplinary action pursuant to NEB. REV. STAT. § 44-1529.

CONSENT ORDER

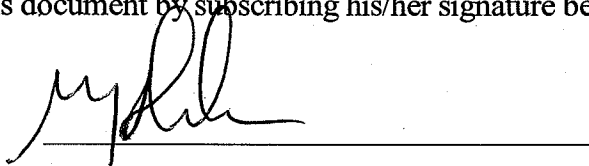
It is therefore ordered by the Director of Insurance and agreed by Respondent, Insurers Administrative Corporation, that Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1000.00) due within 30 days after the Director of Insurance or his designee approves and signs this consent order.

The Department of Insurance will continue to retain jurisdiction over this matter. If Respondent fails to pay the amount required as specified under this consent order, additional administrative action shall be taken by the Petitioner, which may include revocation of Respondent's Nebraska certificate of authority. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his/her signature below.



Joel F. Green, #22900  
Attorney for Petitioner  
941 "O" Street, Suite 400  
Lincoln, NE 68508  
(402) 471-2201

4-24-07  
Date



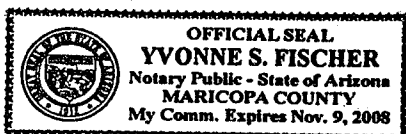
Insurers Administrative Corporation,  
Respondent

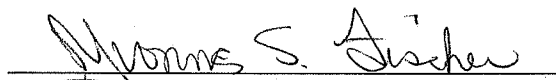
By: Gregory L. Cohen, Vice President : General Counsel

4/20/07  
Date

State of Arizona )  
County of Maricopa ) ss.

On this 20<sup>th</sup> day of April, 2007, an authorized representative of Insurers Administrative Corporation personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his/her voluntary act and deed.



  
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Insurers Administrative Corporation, Cause No. C-1625.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



L. TIM WAGNER  
Director of Insurance

4/24/07  
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at 2101 West Peoria Avenue, Suite 100, P.O. Box 39199, Phoenix, Arizona 85069-3119, by certified mail, return receipt requested on this 26<sup>th</sup> day of April, 2007.

